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Attorneys for Defendant BlendJet Inc.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

BLENDTEC INC., a Utah corporation,

Plaintiff,

vs.

BLENDJET INC., a Delaware corporation,

Defendant.

**BLENDJET’S NOTICE OF NON-
OPPOSITION TO BLENDTEC’S
MOTION FOR LEAVE TO FILE REPLY
TO BLENDJET’S RESPONSE TO
MOTION TO COMPEL COMPLIANCE
WITH SUBPOENAS TO PATRICK
MCGILL AND SHEPPARD MULLIN
[DKT. 128]**

Civil No. 2:21-cv-00668-TC-DBP

Judge Tena Campbell
Magistrate Judge Dustin B. Pead

BlendJet does not oppose Blendtec's Motion for Leave to File a Reply to BlendJet's Response to Blendtec's Motion to Compel Compliance with Subpoenas to Patrick McGill and Sheppard Mullin. (ECF 128, "Motion".)

BlendJet notes, however, that information pertinent to Blendtec's Motion has already been filed on the record in BlendJet's Response to Blendtec's Motion to Enforce the Protective Order, to Disqualify Patrick McGill and Sheppard Mullin, and for Attorneys' Fees (ECF 122, "Response"). For example, Exhibit A to the Bader Declaration recounts the history of the parties' only meet and confer regarding the subpoenas at issue. (*See* ECF 122-5 at pp. 4-6 (recounting the service of objections to the subpoenas on April 21, 2023, Blendtec's April 27, 2023 response requesting a meet and confer, and BlendJet's May 1, 2023 follow up email summarizing the meet and confer that occurred at 11:30 a.m. MST that same day). In addition, BlendJet's Response includes comprehensive factual declarations from Mr. McGill, Ryan Pamplin (BlendJet's CEO), and Martin Bader, together with 15 factual exhibits (A-O) that answer the question Blendtec sought to resolve through its subpoenas and renders those subpoenas moot.

Respectfully submitted this 18th day of May, 2023.

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/s/ Martin R. Bader

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CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of May, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send an electronic notification to counsel of record for all parties, including the following:

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